

FORM TO BE USED BY A PRISONER FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MR. David M. Montgomery ID# 412-299

MC-C 18800 Roxbury Road

Hagerstown Maryland
21746

(Full name, prison identification
number and address of the plaintiff)

FILED
LODGED
ENTERED
RECEIVED

MAR 06 2014

AT BALTIMORE,
CLERK U.S. DISTRICT COURT,
DISTRICT OF MARYLAND
BY *[Signature]* DEPUTY

Civil Action No. EHU-14-681
(Leave blank on initial filing to be filled in by Court.)

MARYLAND CORRECTIONAL TRAINING CENTER

WARDEN MR. J. P. Morgan

Officer Sgt. MR. T. Richer

All Am and Pm officers that
work Housing unit # 5B Since 2-20-14 Don't know names of
(Full name and address of the defendant(s))
CORRECTIONAL officers

COMPLAINT

I. Previous lawsuits

A. Have you filed other cases in state or federal court dealing with the same facts as in this case or against the same defendants?

YES NO

B. If you answered YES, describe that case(s) in the spaces below.

1. Parties to the other case(s):

Plaintiff: _____

Defendant(s): _____

2. Court (if a federal court name the district; if a state court name the city or county): _____
3. Case No.: _____
4. Date filed: _____
5. Name of judge that handled the case: _____
6. Disposition (won, dismissed, still pending, on appeal): _____

7. Date of disposition: _____

II. Administrative proceedings

- A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES NO

1. If you answered YES:

a. What was the result? Nothing, NO one took any

ACTION IS AT ALL SINCE I FILED THE APP 2-26-14

b. Did you appeal? AND NO ACTION IS STILL HAVEN'T BEEN TAKEN

YES NO

2. If you answered NO to either of the questions above, explain why:

I ONLY ASK THE INMATE GRIEVANCE
OFFICE AND PEOPLE TO HAVE ME MOVED FROM MC-C!

Page #1

THE COURT'S CLERK >
PLAINTIFF:

MARCH, 3, 2014

I AM DAVID MONTGOMERY IOT#412-797
MCI-C 18800 Roxbury Road
Hagerstown MARYLAND 21746

I AM filing this complaint on MARYland Correctional Training Center. Because I ME. Montgomey have wrote to the office's on Housing unit #SB and I gave the AM and pm SHIFT officer's a letter. Because me requesting a Single cell. Because my safety and welfare me wanting to get protective custody cause my life Being in Danger. Because my past and what I have been through cause GANG members. Also to protect my personal Information do to my Criminal Case # 06-K-13-093213 and to prevent another Inmate making up a lie about saying I told him some thing about my case and could write the court's and TRY TO TESTIFY AGAINST me. Also cause even hearing that my Judge just granted me a hearing in front another Judge. The Inmate's would TRY to use me to get out of prison. Once again making up a lie.

I don't know these officer's name's But it goes for all the one's that have been working AM and pm SHIFT Since I wrote them letter 2-25-14 and then I filed a (ARP) Administrative Remedy procedure on 2-26-14 and I am sending my copy to the court's. The officer T. Richer signed it and he didn't TAKE any action and I checked the Emergency Request Box Also.

And my (ARP) Should have went to this person's Warden
Mr. J.P Morgan and he Response's back. Well I haven't
heard back from him OR any one and Today is 3-3-14
Also No Action's have been Taken do To me being
Put in a Cell by self. That's arite I have and it's
been violated and still is being violated. Today
I MR. montgomery gave the officer working Housing
unit # SB - Another (ARP) During lunch Time When
this officer Collected the lunch Trays and I
don't know his name. But I am sure this prison
Should have it on Record in there log Book. Well
I didn't even get my copy that a Sgt or C should
have signed and the officer working this
Time Should have giving me my copy back. But
that never happened nor did any action's
take place to be being moved to a single
cell. Because of my situation. So Today 3-3-14
During my unit's and my tier's Walk's to get
the Rec Time. I Handled a officer a letter. I
wrote and I don't know his name that put me in
hand Cuff's taking me to the Rec Chage. But
it was saying that I was in danger to my life
and I couldn't be in a cell with any one else.
Because my past and to protect my information
do To While I am locked up for. Also cause me
being in to it with Gang members. Another thing
that my cell mate was a gang member and I
Shouldn't be in a cell with him and it's on Record.

MY CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED
AND I AM NOT SURE UNDER WHAT AMENDMENTS.
BUT THE CIVIL COURT'S I AM SURE CAN LET ME KNOW.

NOTHING HAS HAPPENED TO ME BUT THE PERSON
IS AWAKE AND HASN'T DONE ANYTHING ABOUT THIS
SO THAT'S WHY I AM BRINGING FORTH THIS COMPLAINT.
I WAS ALMOST KILLED BEFORE BY GANG MEMBERS.
THESE OFFICERS HERE AT MCCC DON'T DO THEIR JOB
THE WAY THEY SHOULD NOW, IF SOME THING WAS TO
HAPPEN TO ME THEN THESE OFFICERS HAVE BEEN CAUSE
AND DID NOT PREVENT A SITUATION FROM HAPPENING.
IF I DIDN'T BRING THIS COMPLAINT TO THE COURTS
THEN THERE WOULD STILL NOTHING BE DONE ABOUT IT.
NOW THE CIVIL COURT'S CAN GET ON THIS PERSON DO
TO THESE PEOPLE NOT DOING THEIR JOB RATE.

#1 DEFENDANT'S:

#1 WARDEN MR. J.P. MORGAN

#2 OFFICER SGT MR. T. RICKER COLL

#3 AM SHIFT OFFICER'S THAT WORK HOUSING UNIT #5B

#4 PM SHIFT OFFICER'S THAT WORK HOUSING UNIT #5B

This Complaint Explains the problem and points out
how each officer took place in this situation dealing
with this complaint against MARYLAND CORRECTIONAL TRAINING
CENTER. This is a Court Claim

If I MR. Montgomery don't fight for my RIGHTS
then some thing bad could happen and the person could

Get away with it.

I MR. Montgomery request that once the court's receive this to please see to it that through the court's power to have me moved out of matc prison so no one can have Retaliation against me.

I MR. Montgomery am even sending a copy of my prison Inmate Account for the past six months.

I MR. Montgomery am Housed on Housing unit 5B-1-14-13 at this time on lock up Disciplinary Segregation. Because some thing I didn't do But that Beside of this Complaint I done wrote the Inmate Grievance office cause the reason why I was put on lock up for some thing I had nothing to do with.

I MR. Montgomery done wrote the Warden, Commissioner Captain, Judge, Attorney, PRISM, parole commission, Inmate Grievance office, case manager, asking them to please have me moved out of this prison cause my problems and I explained why. But no Action is have been taken. I Am waiting to go back to court in front of another Judge for a Post conviction David Montgomery ID# 412-297 Hearing! mt-c 18800 Roxbury Road

Hagerstown Maryland 21746

III. Statement of claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

MARYLAND CORRECTIONAL TRAINING CENTER (MC-T-C) PRISON
HAS VIOLATED MY CONSTITUTIONAL RIGHTS. BECAUSE ME
WANTING PROTECTIVE CUSTODY DO TO MY SAFETY AND
WELLFARE AND LIFE BEING IN DANGER. ALSO TO PROTECT
MY LEGAL INFORMATION. BUT I DON'T KNOW THE AMENDMENTS.
THIS IS A COURT CLAIM FOR \$10,000 DOLLARS & CAUSE THE
RISK OF MY LIFE. BECAUSE THE WARDEN NOR DID NONE
OF THESE OFFICERS TAKE ANY ACTION BY PUTTING ME
IN A CELL BY MYSELF AND STAFF HAVEN'T YET AS OF
IV. Relief
(State briefly what you want the Court to do for you.) Today 3-3-14.

\$10,000 DOLLARS & CAUSE THE RISK I AM TAKEN OFFICERS
THANG HAPPENED. ALSO FOR THE COURT TO COME DOWN HARSH
ON THIS PRISON THE WARDEN AND THE OFFICERS
THAT MAKE HAVING UNITS #5B AND THERE BOSSIES FOR MC-T-C.

SIGNED THIS 3 day of MARCH 2014

IF IT HELPS TO HAVE ME MOVED
OUT OF MC-T-C PRISON ANY FASTER
THE JUDGE IN MY CASE IS

JUDGE MR. THOMAS F. STANFIELD

CIRCUIT COURT FOR CARROLL COUNTY

55 NORTH COURT STREET

WESTMINSTER MARYLAND 21157

DAVID MICHAEL MONTGOMERY
(original signature of plaintiff)

MC-T-C ID# 412-297

18800 ROXBURY ROAD

HAGERSTOWN MARYLAND
(address of plaintiff)

29746

7. List any other major monthly expenses that you are actually paying.

<u>Description</u>	<u>Monthly payment</u>
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None

8. Attach a certified statement of your prison account for the past six months. If you are unable to do this, one will be requested from prison officials.

I DECLARE UNDER THE PENALTIES OF PERJURY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

MARCH 3, 2014

(date)

David Michael Montgomery
(original signature of plaintiff)

MCFC ID# 412-797

18800 Roxbury Road

Hagerstown Maryland
(address of plaintiff)

21246

CASE NO. _____

MARYLAND DIVISION OF CORRECTION
REQUEST FOR ADMINISTRATIVE REMEDY
 (Instructions for completing this form are on the back)

TO: Warden of InstitutionEmergency Request: Check only if your complaint poses a continued threat to your health, safety, or welfare.FROM: MONAGOMERY DAVID Last Name m Middle Initial 412797 DOC Number MCI-C InstitutionHousing Location SR-1-14-B Protective Custody Administrative Segregation Disciplinary Segregation **Part A - INMATE REQUEST**

I need a single cell to myself ab to my safety and welfare as soon as possible. I also want to get my hygiene and legal books out of my property cause it's my right to have them. Also the 10% commissary I have in my stuff cause I don't have any

2-26-14 Date David Montgomery 412797 Signature of Inmate

Part B - RESPONSE

Date

Signature of Warden

You may appeal this response by following the procedure prescribed on the back of this form.

Part C - RECEIPT

Case No. _____

RETURN TO: _____

Last Name

First Name

Middle Initial

DOC Number

Institution

I acknowledge receipt of your complaint dated _____ in regard to: _____

Date

Institutional ARP Coordinator

 Original: White Institutional ARP Coordinator
 Copy: Canary - Inmate